

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:16-CV-569-DCK**

DAVIDA COURTNEY,

Plaintiff,

v.

**IKEA HOLDING U.S., INC; IKEA U.S.
EAST, INC.; IKEA U.S. EAST, LLC; IKEA
PROPERTY, INC.; IKEA U.S. WEST, INC.;
IKEA PROPERTIES, INC.,**

Defendants.

ORDER

THIS MATTER IS BEFORE THE COURT on Defendants’ “Motion To Stay Further Proceedings Pending Resolution Of Plaintiff’s Duplicate Action Filed In The Middle District Of North Carolina” (Document No. 12) filed October 17, 2016. Plaintiff has not yet responded to the motion. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and in these somewhat unusual circumstances, immediate review is appropriate. Having carefully considered the motion and the record, and in the interests of judicial economy and efficient case management, the undersigned will grant the motion.

Defendants contend that “Plaintiff Courtney filed two Complaints by two different attorneys in two different counties which involve the same parties, with the same claims, arising from the same alleged incident.” (Document No. 13, p.1). “Both state actions were removed to their respective Federal Courts based on diversity including the instant case, and a case in the Middle District of North Carolina.” Id. In other words, it appears there are now two federal lawsuits pending in adjacent districts addressing the same matter.

Defendants suggest that Plaintiff's counsel has refused to explain or discuss the allegedly duplicative lawsuits, and instead, has now served a Notice of Deposition for two of Defendants' employees scheduled for October 18, 2016. (Document No. 13, pp.4-5). The potential for an inefficient use of the Court's resources is apparent. Based on the foregoing, the undersigned finds good cause to grant Defendants' motion and stay this matter.

IT IS, THEREFORE, ORDERED that Defendants' "Motion To Stay Further Proceedings Pending Resolution Of Plaintiff's Duplicate Action Filed In The Middle District Of North Carolina" (Document No. 12) is **GRANTED**. This matter is **STAYED** until otherwise ordered by this Court.

IT IS FURTHER ORDERED that Plaintiff's counsel, Mr. Steven B. Hayes, shall immediately confer with Plaintiff, as well as Plaintiff's counsel in the Middle District lawsuit, Mr. Justin Lowenberger, and then file a Status Report with this Court on or before **October 28, 2016**. Plaintiff's Status Report should address the two pending actions mentioned herein, show that Plaintiff has also conferred with Defendants' counsel, and explain the parties' position on whether a continued stay of this case is appropriate.

SO ORDERED.

Signed: October 18, 2016



David C. Keesler
United States Magistrate Judge

